

1 Bingham McCutchen LLP  
GRÉGOR Y LIPPETZ (SBN 154228)  
2 Three Embarcadero Center  
San Francisco, CA 94111-4067  
3 Telephone: (415) 393-2000  
Facsimile: (415) 393-2286  
4 gregory.lippetz@bingham.com

5 Bingham McCutchen LLP  
RICHARD S. TAFFET Pro Hac Vice  
6 (NY SBN 1721182)  
399 Park Avenue  
7 New York, NY 10022-4689  
Telephone: (212) 705-7000  
8 Facsimile: (212) 752-5378  
richard.taffet@bingham.com

9 Attorneys for Plaintiff/Counter-Defendant  
10 SANDISK CORPORATION

11 Kirkland & Ellis LLP  
JENNY N. LEE (SBN 247684)  
12 555 California Street  
San Francisco, CA 94104-1501  
13 Telephone: (415) 439-1400  
Facsimile: (415) 439-1500  
14 jlee@kirkland.com

15 Attorneys for Defendants/Counter-Plaintiffs  
Lucent Technologies Inc. and  
16 Alcatel-Lucent, S.A.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION  
20

21 SANDISK CORPORATION,

22 Plaintiff,

23 vs.

24 LUCENT TECHNOLOGIES INC. and  
ALCATEL-LUCENT, S.A.,

25 Defendants.  
26

27 AND RELATED COUNTERCLAIM  
28

No. C 07-03618 JF

**STIPULATION AND REQUEST FOR  
AN EXTENSION OF TIME FOR  
THE PARTIES TO NEGOTIATE**

C 07-03618 JF

STIPULATION AND REQUEST FOR AN EXTENSION OF TIME FOR THE PARTIES TO NEGOTIATE

1 Plaintiff SanDisk Corporation ("SanDisk") and defendants Lucent Technologies  
2 Inc. and Alcatel-Lucent S.A. (collectively "Lucent") hereby stipulate as follows:

3 WHEREAS, on October 12, 2007, Lucent filed a Motion to Dismiss Without  
4 Prejudice or Stay Pending Resolution of Appeal in Related Case,

5 WHEREAS, on November 30, 2007, and on February 15, 2008, the Court heard  
6 argument from the parties related to Lucent's Motion, and requested that the parties meet and  
7 confer to discuss whether they could reach an agreement under which this action could be  
8 stayed, and requested the parties to report back to the Court by February 29, 2008,

9 WHEREAS, pursuant to the Court's request, the parties have been negotiating the  
10 terms under which SanDisk would consent to a stay of this action, and

11 WHEREAS, the parties request the Court provide them with an additional one  
12 week to reach an agreement.

13 THEREFORE, the parties stipulate as follows:

14 The parties will continue to negotiate the terms of a settlement agreement and  
15 provide the Court with a report by March 7, 2008.

16 SO STIPULATED  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 DATED: February 29, 2008

2  
3 Bingham McCutchen LLP

4  
5  
6 By: /s/ Gregory L. Lippetz  
7 Gregory L. Lippetz  
8 Attorneys for Plaintiff/Counter-Defendant  
9 SanDisk Corporation

10 DATED: February 29, 2008

11 Kirkland & Ellis LLP

12  
13 By: /s/ Jenny N. Lee  
14 Jenny N. Lee  
15 Attorneys for Defendants/Counter-Plaintiffs  
16 Lucent Technologies Inc. and  
17 Alcatel-Lucent, S.A.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 DATED: \_\_\_\_\_

20 By: \_\_\_\_\_  
21 THE HONORABLE JEREMY FOGEL  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26  
27  
28